

### **REMARKS/ARGUMENTS**

In view of the foregoing amendments and following remarks, favorable reconsideration of the pending claims is respectfully requested.

Claims 1 – 5 and 13 – 19 are currently pending. Claims 6 – 12 were withdrawn, and now have been cancelled without prejudice or disclaimer. Claims 1, 4, and 15 have been amended as set forth below. Independent Claims 1 and 15 have been amended to delete formula (1) and its constituents so that Claims 1 and 15 now recite a composition for forming a porous film that is obtained from the condensation of the organosilicate represented by formula (2). Support for this amendment is found in Claims 1 and 15 as originally presented. Claim 4 has been amended to be consistent with the amendment to Claim 1. Claim 15 has also been amended to recite that the condensation product and the organic solvent are in the form of a coating liquid that is capable of being applied as a film with a spin coater. Support for this amendment can be found, for example, on page 30 in Example 1.

New Claims 16 – 19 have been added. Support for new Claims 16 -19 can be found, for example, in Claims 1 and 15 as previously presented.

Claims 1, 13, 14, and 15 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2001/0042440 to Miyazawa. Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyazawa. Claims 2 – 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Miyazawa and U.S. Patent No. 6,680,040 to Nishida. Applicants respectfully traverse these rejections.

In all the rejections, the Office Action alleges that Miyazawa describes a composition for forming a porous film that is a result of a condensation product of formula (1). Miyazawa discloses that alkoxysilanes, sodium silicate, or silica may be used to form the inorganic-based polymer main chain by condensation polymerization in a preferably acidic reaction system. Miyazawa does not disclose or suggest a condensation product that is obtained by the condensation of the organosilicate of formula (2) as recited in independent Claims 1 and 15. As discussed above, Claims 1 and 15 have been amended to delete the silicate of formula (1). As such, Miyazawa does not disclose or suggest the composition recited in amended Claims 1 and

15. Nishida also fails to disclose or suggest a composition that is obtained by the condensation of the organosilicate of formula (2) in acid and an organic solvent. As such, the combination of Miyazawa and Nishida fails to disclose or suggest the claimed invention as recited in independent Claims 1 and 15. It is therefore respectfully submitted that Claims 1 and 15, and any claims dependent thereon are not anticipated by, or rendered obvious, over Miyazawa and Nishida, whether considered individually or in combination.

Further, according to Example 1 of Miyazawa, the condensation product prepared in accordance with Miyazawa resulted in a white precipitate that was collected by reduced pressure filtration. See paragraph 139. Such a particular material would not be suitable for use as a coating liquid in a spin coater. Accordingly, Miyazawa also fails to disclose or suggest a composition that is in the form of a liquid coating that is capable of being used in a spin coater. As such, Miyazawa also fails to disclose or suggest a liquid coating that is capable of being used in a spin coater as recited in independent Claim 15.

New Claims 16 – 19 recite a condensation product that is obtained as a result of the condensation of both the silicate of formula (1) and the organosilicate of formula (2). As discussed above, neither Miyazawa nor Nishida disclose or suggest a composition that is obtained by the condensation of the organosilicate of formula (2). Accordingly, Miyazawa and Nishida fail to disclose or suggest a composition that is a condensation product of the silicate of formula (1) and the organosilicate of formula (2), and therefore Claims 16 – 19 are patentable over the cited references for the same reasons discussed above.

In view of the foregoing amendments and remarks, it is respectfully submitted that the rejections under U.S.C. § 102(b) and 103(a) have been overcome, and that the pending claims are in condition for immediate allowance.

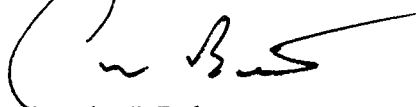
### ***Conclusion***

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of

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this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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